

REMARKS

The Advisory Action mailed March 16, 2001, has been received and reviewed. Claims 1 through 47 are currently pending in the application. Claims 1 through 47 stand rejected. Applicant hereby adds claims 48 through 50 with this Request for Continued Examination. Support for claims 48 through 50 are found in the Specification and Drawings of the original application, specifically at column 3, line 33, through column 4, line 9.

35 U.S.C. § 112 Claim Rejections

Applicant maintains the position that the rejection of claims 1 through 47 is improper because the Applicant has not claimed a tungsten silicide and because tungsten silicides, represented in general by the formula WSi_x , were well known in the art at the time the original application was filed.

Each of claims 1 through 47 claim a process rather than a product. In order to teach one how to make a tungsten silicide film, the type of tungsten silicide formed need not be disclosed. One of ordinary skill in the art following the process parameters claimed and described in the specification would be able to make a tungsten silicide film by the processes claimed in the present invention. The processes claimed in claims 1 through 47 are therefore enabled and should be allowed over the 35 U.S.C. § 112, first paragraph, rejection.

It is true that the stoichiometry of a tungsten silicide film having a general formula WSi_x is known to depend on the deposition conditions such as active gas flow rates, deposition temperatures, and the like. These deposition conditions are defined in the specification of the present invention, thereby enabling the process claims. Furthermore, the general formula WSi_x was commonly used in the art to refer to tungsten silicides in general. *See, United States Patent No. 4,800,105, at col. 3, lines 21-23, col. 5, lines 20-24 and 33-45, and FIG. 7; see also, United States Patent No. 4, 805,005, at col. 5, lines 38-39, and col. 6, lines 31-32 (included with the Information Disclosure Statement submitted herewith).* Applicant's use of WSi_x , therefore, contains a written description of the invention in a full, clear, and concise manner as required by

the first paragraph of 35 U.S.C. § 112, because a person of ordinary skill in the art would understand that the formula WSi_x represents tungsten silicide.

35 U.S.C. § 103(a) Obviousness Rejections

The Advisory Action mailed March 16, 2001 failed to address Applicant's statements regarding the obviousness rejections under 35 U.S.C. § 103(a). The remark regarding the remaining issues in the Advisory Action appears to be directed at the 35 U.S.C. § 112 rejection rather than the 35 U.S.C. § 103(a) rejections. The absence of any specific reference to the 35 U.S.C. § 103 rejections implies that the claims in the present application are allowable over the obviousness rejections heretofore enumerated.

If the rejections under 35 U.S.C. § 103(a) remain, Applicant hereby incorporates the remarks from Applicant's response to the Final Office Action dated February 20, 2001, and requests that claims 1, 2, 4, 5, 8, 9, 12-19, and 21 be allowed over the 35 U.S.C. § 103(a) rejection based upon the unmotivated combination of Kawanishi and Price et al. and that claims 3, 6, 7, 10, 11, 20, 22 and 23 are allowed over the rejection under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent No. JP-39528 (English translation) to Kawanishi et al. taken with Price et al. (U.S. Patent No. 4,632,057) as applied to claims 1, 2, 4, 5, 8, 9, 12-19 and 21, and further in view of Brors et al. (U.S. Patent No. 4,565,157).

ENTRY OF AMENDMENTS

The proposed amendments to add claims 48 through 50 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application.

CONCLUSION

Claims 1 through 50 are believed to be in condition for allowance, and notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicant's undersigned attorney.

Respectfully Submitted,



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